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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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Section
#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/920,230	08/01/2001	Jerry L. Toms	2263/101

CONFIRMATION NO. 5306

FORMALITIES LETTER



OC000000006534142

Edwin V. Merkel
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, NY 14603

COPY OF PAPERS
GENERALLY FILED

Date Mailed: 09/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

200310-0920230

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

202510-04202560

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

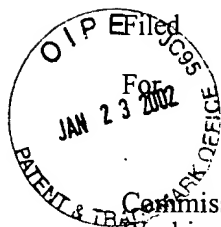
Applicant : Jerry L. Toms

Serial No. : 09/920,230

Cnfrm. No. : 5306

: August 1, 2001

: DEVICE AND SYSTEM FOR USE IN IMAGING PARTICULATE MATTER



TRANSMITTAL LETTER

Commissioner For Patents
Washington, D.C. 20231
Box: Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(b), which was mailed by the United States Patent and Trademark Office on **September 10, 2001**, enclosed are:

- ☒ A Combined Declaration and Power of Attorney.
- ☒ A Request for One-Month Extension of Time.
- ☒ Applicant claims small entity status. (See 37 CFR 1.27.)
- ☒ Submission of Corrected Formal Drawings with 7 sheets of Formal Drawings.
- ☒ A copy of the Notice to File Missing Parts.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.
- ☒ Fees as calculated below:

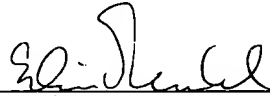
FEE FOR ONE-MONTH EXTENSION OF TIME	\$55.00
SURCHARGE 37 CFR 1.16(e)	\$65.00
ADDITIONAL FEES	\$
TOTAL FEES SUBMITTED HEREWITH	\$120.00

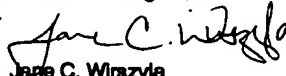
- ☒ A check in the amount of **\$120.00** to cover the above fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: December 10, 2001

Nixon Peabody LLP
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Telephone: (716) 263-1128
Facsimile: (716) 263-1600

R542723.1


Edwin V. Merkel
Registration No. 40,087

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.	
Date <u>12/10/01</u>	 Jane C. Wirazyla